

The Professionals Guild of Ohio



PGO UNION NEWS

May 2019

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Happy May Day!

Although not formally recognized in the U.S., the first day of May marks International Workers' Day, or May Day in the labor movement. The celebration of May Day has its origins in the movement for the eight-hour workday. The day usually consists of displays of member solidarity and demonstrations. Some of the May Day demonstrations this year included:

- Educators in South Carolina chose this day to begin their strike to demand fair pay, smaller class sizes, and duty-free breaks.
- Teachers in North Carolina walked out their classrooms in support of Medicaid expansion, the hiring of more support staff, and a \$15 minimum wage for all educators.
- The Chicago Teachers Union is preparing for the nation's first-ever multi-employer charter school strike.
- Harvard University graduate student workers held a demonstration to draw attention to the school's failure to provide their student workers with protection from harassment and discrimination.
- Hundred of people in Portland held demonstrations to advocate for immigrants, workers, and other marginalized groups.

- Workers around the world rallied for different causes such as higher minimum wages, access to healthcare, fighting income inequality, issues related to sexual harassment and discrimination, amongst other things.

The rights of workers everywhere are as important and related to the rights of workers in our own backyard. Solidarity matters on an international scale just as much as it does in your own workplace. After all, workers did win the standard eight-hour workday. How will you spend your next May Day?

PGO State Union Election

PGO members should receive ballots for PGO executive board officers soon (they're in the mail). Members will have an opportunity to vote for president, vice-president, treasurer and secretary.

Ballots will be sent by first class mail to the home addresses of all PGO members listed in our data-base. These secret ballots should be completed by the PGO member, and returned in the enclosed self-addressed, postage-paid envelope.

To be counted, your ballot must be delivered to PGO no later than June 15, 2019. If you do not receive a ballot by the last week of May, please contact the PGO office.

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"Workers get paid less to do more. Managers get paid more to do less. It's just the way dysfunctional systems function, Sims."

Privacy In The Workplace: Sending Personal E-mail On A Work Computer

In the old days, an employee could use some break time to write a personal letter, then drop it in the "outgoing" mail bin at work believing that it was a private personal communication that the employer had no right to intercept and read.

Similarly, it is not uncommon for many employees to take a few minutes of their break time to access their personal email account using their work computer. Many believe that, like a written personal letter, their personal email was private information which their employer had no right to access. For the most part they are wrong.

Technology makes it possible for employers to retain and review the workplace communications of every employee. Many employers use this technology to review employee email.

Most employers have a written policy providing notice of their right to monitor electronic communications, but still has a legal right to read employee email messages even without such a written policy.

With the advancement of technology, many employees no longer use their work computer to access personal email accounts, relying instead on personal mobile devices. This will protect an employee's privacy to some degree, so long as the employee is not using the employer's wifi to access the internet. The

employer has the right to review information transmitted through the employer's internet server.

The one restriction on a employer's right to review employee email and other forms of electronic communications is that there must be a "valid business purpose" for the employer's actions. This restriction is not as cut and dried as some will believe. One many occasions an employer can demonstrate a valid reason for reviewing personal email.

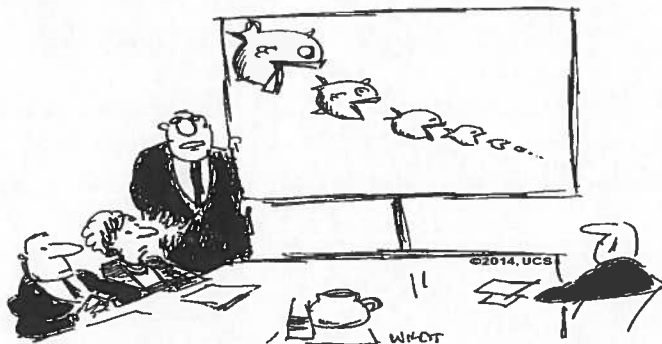
In cases where an employer is investigating whether an employee is engaged in harassment or some form of discrimination, courts have supported the employer's right to review an employee's personal communications. Also, where an employee is suspected of using work time to conduct personal activity, the employer can review the employee's email in a search for evidence for misuse of work time.

One type of communication is clearly off limits to an employer even if it is transmitted on a work computer during business hours: any employee communication related to union activity. Whether the communication is between the union and the employee or from one employee to another, if it relates to union activity or organization efforts, the employer is prohibited reviewing it. Of course, you will have to trust your employer to obey the law in this regard.

Many states have recently enacted laws that provide greater protections to employees who use work computers and employer internet services for personal activities, but Ohio is not among them. Until it does, employees can be sure of internet privacy only by using a personal mobile device accessing an employee-paid internet service provider on break time.



NOTIN JUNGS
"THE GOOD NEWS IS, YOU QUALIFY FOR SEVERANCE PAY."



"For the benefit of our new employees, we've simplified the corporate flow chart."

The Problem With Part-Time Jobs

Lately, U.S. leaders have been boasting about record low unemployment rates, which should be indicative of a thriving economy. While this is seemingly great news for our country, it is not an accurate representation of workers that are underemployed or still struggling to make ends meet. The low unemployment rate could partly be attributed to part-time employment, specifically "involuntary" part-timers. About 1.4 million Americans are stuck in part-time jobs—in other words, these people would like a full-time opportunity, but a lot of those jobs just do not exist. Instead, part-time work has become a staple in today's economy.

A part-time workforce is not necessarily bad. There are those who prefer the flexibility of working a few hours a week such as students who need only a few hours of work to get through their education. There are also individuals who use those jobs to supplement their income while working on another aspect of their career, or just need the flexibility for any other reason. These people were the driving force behind the original need for part-timers. There is no doubt that this kind of work is beneficial, and maybe even necessary in some circumstances. However, there are more sinister motivations when employers choose to advertise those positions over traditional full-time ones.

When accepting a part-time position, workers have the hassle and responsibilities of a full-time job with virtually none of the benefits. Businesses have found various ways to employ people to their detriment and the company's benefit. For example, if there is a position available for 40 hours a week, why not split it into two twenty-hour spots? Or maybe the company decides that they need an employee for 37 hours a week instead of the full 40; the residual workload can be split

up amongst existing workers. This way, the company can avoid paying an individual full health benefits, paid time off, holidays or other benefits usually afforded to a full-time employee. Additionally, those in part-time positions are usually paid less than their full-time counterparts. This results in a lot of Americans being one sick day away from a personal financial catastrophe.

In the current economy, many of the underemployed and underpaid have turned to the "gig economy" or temporary work to supplement their income. This type of work consists of various jobs such as driving for uber, walking dogs or delivering food on one of the widely available and numerous phone apps.

The ever-growing gig economy and increasing demand for temp work is akin to the push towards the part-time economy in many aspects. It drives profits for companies, but does little to nothing for people who require steady employment. While gigs and temp work might be useful in putting a few extra dollars in your pocket, it does not represent stable or guaranteed employment. The individual engaged in that work is considered an independent contractor with absolutely zero benefits, no guarantee of minimum wage or workers compensation and subject to termination at any time.

Workers are on shaky ground if when they have to depend on the mercy of employers to grant them stable employment. Even if you currently enjoy the benefits and security of full time work, the trend towards part-timers, temp work, and gigs should be alarming. Companies are steadily finding ways to cut costs and increase profits and it usually does not involve a happy worker. Next time there is a vacancy in your workplace, be mindful of what is advertised, because it is a slippery slope from stability to underemployment or unemployment.



"HARBAUGH, IT'S COME TO MY ATTENTION THAT YOU'VE BEEN STOPPING TO SMELL THE ROSES MUCH TOO OFTEN!"

©2009, UCS



"Eternal damnation? Do you realize how this will look on my resume?"

Grocery Store Strikes Ends With New Contract

In Early April, workers at the Stop & Shop grocery stores went on an eleven-day strike, the first of its kind since 1988. Stores in Connecticut, Massachusetts, and Rhode Island were affected as 31,000 workers participated in the biggest private sector strike since 2016. As a direct result of the strike, 240 stores were affected—staffed by replacement workers and managers. Regular customers of the store shopped at rival grocery stores rather than facing Stop & Shop picket lines. Some stores were forced to close under the circumstances.

Stop & Shop is the largest and only fully unionized supermarket store in New England. The workers, represented by the United Food and Commercial Workers (UFCW) union, began contract negotiations in mid-January, and union leaders called for a strike by March. Workers cited salary, concerns over pension plans and health care costs as well as Sunday pay concerns as primary concerns in contract negotiations. The Union claimed that the company not only saw over \$2 billion in profit, but also received \$225 million in tax cuts under the 2017 restructure. Despite this, the company planned to slash worker benefits while enriching their shareholders.

The strike ended with employees approving a three-year contract by an overwhelming majority. The new contract covers affordable healthcare, increased pension contributions from the company, and higher wage. The workers were also able to retain their premium pay on Sunday and paid holidays.

Stop & Shop employees were not afraid to demand a fair contract and stood their ground on the issue. The company felt the pressure, and the workers prevailed.

Don't Believe the Hype About Workers' Wages

Inflation-adjusted wages have risen for U.S. workers an average of 5.3 percent since the beginning of the recession in late 2007—a measly four-tenths of a percent per year. But Black workers have seen even smaller gains: their adjusted weekly earnings are up just 1.6 percent, or \$11, despite record low Black unemployment rate of 6.8 percent (still much higher than the overall rate of 3.9 percent).

Valerie Wilson of the Economic Policy Institute says wages for Black workers remain low because of discrimination, the relative scarcity of jobs near many Black communities, and employers' unwillingness to hire workers with criminal records. Black prisoners outnumber whites even though Blacks are only 13 percent of the population.

Median pay for U.S. workers was \$900 a week in the first quarter of 2019, but just \$711 for Black workers and \$692 for Hispanic workers. Earnings for Hispanics have increased 11.8 percent since late 2007.

Google Raises Minimum Wage

Google will require its contractors to pay a \$15 minimum wage and offer health benefits, 12 weeks of paid parental leave, and tuition reimbursement. The move comes after continued organizing by Google workers against pay disparity for contracted workers.

Source: Labor Notes, May 2019

Memorial Day



Remember Those Who Served